REMARKS

The present filing is responsive to the Examiner's concerns noted in the Office Action.

Summary of the Response

No claims have been amended. Claims 2, 3, 9 and 10 have been previously canceled. Claims 1, 4-8 and 11-21 remain pending in this application. Reexamination and reconsideration of the present application as amended are respectfully requested.

Summary of the Invention

The present invention is directed to an electronic device incorporating a dual-display panel module that shares a driver by operatively coupling the driver to a common connection between two displays. The dual-display panel module includes a primary-display panel module and a secondary-display panel module. In one embodiment, the connector electrically connects to the respective ends of the primary and secondary display panels. Via this electrical connection, electrical traces are supported, which are electrically coupled to the outputs of the driver. The common driver facilitates control of both primary and secondary display panels. In one embodiment, the connector is a flexible printed circuit board (FPCB).

Applicant notes that as is well understood in the art, a FPCB is a passive electrical circuit formed and supported (i.e., "printed") on a flexible substrate. The FPCB is used to mechanically support and electrically connect onto a non-conductive flexible substrate. In the disclosed embodiment, the driver is an ASIC formed on the connector by a chip-on-flex (COF) method.

Claim Rejections Under 35 USC 112

Claims 15-21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

The specification has been amended to include recitation of the limitation "the connector is independent of any switches". This does not add any new matter to the specification. As is plainly seen in the embodiment of FIG. 4, for example, the connector can be a flexible printed circuit board, which is independent of any switches.

Claim Rejections Under 35 USC 102

Claim 15 is rejected under 35 U.S.C. 102(e) as being anticipated by Toba (USPN 6907276). This rejection is respectfully traversed.

On the outset, Applicant notes that the publication date of Toba is later than the effective filing date of the present invention. Given the traversal of the rejections below, Applicant has not yet considered the option of "swearing behind" Toba, but reserves the right to do so should it be necessary at a later date.

Claim 15 specifically requires "a connector **electrically coupling** the primary display module and the secondary display module, wherein the connector is **independent of any switches**." In the disclosed embodiment, the connector, which can be a flexible printed circuit board or FPCB, is without any switches. Referring to Fig. 7 in Toba, the Toba circuit does not provide electrical coupling between two display modules. Instead, the circuit in Toba selectively directs driver signals alternately to the two displays 5 and 11. Switches 27 and 28 are used to selectively provide driver input one of the display units 5 and 11. As such, the two display units

5 and 11 cannot be electrically coupled to each other in the presence of the switches 27 and 28. Therefore, the structure of the Toba circuit would not anticipate claim 15.

Claim 15 and all the claims dependent therefrom are therefore not anticipated by Toba.

Claim Rejections Under 35 USC 103

Claims 1, 4, 8, 11, and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba (USPN 6907276) in view of Aoki et al. (USPN 7184010). Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba (USPN 6907276) in view of Aoki et al. (USPN 7184010) and further in view of Sekura et al. (USPN 6198383). Claim 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba (USPN 6907276) in view of Aoki et al. (USPN 7184010) and further in view of Jacobsen et al. (USPN 6073034). Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Toba (USPN 6907276) in view of Sekura et al. (USPN 6198383). Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toba (USPN 6907276) and Jacobsen et al. (USPN 6073034). These rejections are respectfully traversed.

Previously presented independent claims 1 and 8 recite "a connector **electrically connecting** the primary display module and secondary display module, wherein the connector is **a flexible printed circuit board**". Toba does not teach using a flexible printed circuit board to electrically connect a primary display module and a secondary display module. The Examiner earlier conceded to such deficiency in Toba. In fact, the Examiner specifically stated that Toba does not teach the connector is a flexible printed circuit board. (See, page 7 in the Office Action.) Further, as noted above, Toba does not teach electrically connecting the primary and secondary

display modules 5 and 11. However, the Examiner relied on Aoki for the missing element. Aoki however does not make up for the deficiencies of Toba.

Aoki likewise does not teach the use of a flexible printed circuit board to electrically connect a primary display module and a secondary display module. Aoki merely discloses that a flexible printed circuit board may be connected to a side of a liquid crystal display panel. Consequently, even if Aoki can somehow be combined with Toba, such combination would not obtain the present invention as defined in previously presented independent claims 1 and 8.

Concerning dependent claim 19, Sekura does not make up for the deficiencies of Toba. Sekura does not recite "a connector **electrically coupling** the primary display module and the secondary display module, wherein the connector is **independent of any switches**", as required by base claim 15.

Concerning dependent claims 20 and 21, Jacobsen does not make up for the deficiencies of Toba. Jacobsen does not recite "a connector **electrically coupling** the primary display module and the secondary display module, wherein the connector is **independent of any switches**", as required by base claim 15.

The recited connector, such as FPCB, independent of switches, electrically interconnects two displays, as construed in the context of the present invention. It is not reasonable to refer to switches as the recited connector. Applicant respectfully submits that the Examiner erred by construing the claims out of context of the specification.

To properly construe the terms of a claim, reference must be first made to the intrinsic evidence (i.e., the patent specification, the prosecution history, and the claims in the patent, and when appropriate, to extrinsic evidence that may assist in determining the proper construction. (*See, Markman*, 52 F.3d at 979-981; Extrinsic evidence consists of all evidence that is external to

the patent and file history, including ... dictionaries....) Terms in the claims are given their ordinary meaning unless it is established that the inventor disclosed a different meaning. (*See, Mendenhall v. Cedarapids, Inc.*, 5 F.3d 1557, 1578 (Fed. Cir. 1993), *cert. denied*, 114 S. Ct. 1540 (1994).) An inventor may be his own lexicographer by giving special meaning to terms used in the patent claims. Such an inventor-defined term, however, must be described in the patent specification. (*See, Markman, supra.*) Claims must be read in view of the specification, which is "highly relevant to the claim construction analysis" because it contains a written description of the invention that must be clear and complete enough to enable those of ordinary skill in the art to make and use it. "Usually, [the specification] is dispositive; it is the single best guide to the meaning of disputed term." (*See, Vitronics Corp. v. Conceptronic, Inc.*, 90 F.3d 1576, 1582 (Fed. Cir. 1996).) The specification also acts as a restriction on claim scope in that a claim cannot be construed to have a broader scope than supportable by the written description. (*See, Scimed Life Systems, Inc. v. Advanced Cardiovascular Systems, Inc.*, 242 F.3d 1337, 1341 (Fed. Cir. 2001); *Gentry Gallery, Inc. v. Berkline Corp.*, 134 F.3d 1473, 1480 (Fed. Cir. 1998); "[C]laims may be no broader than the supporting disclosure, and therefore . . . a narrow disclosure will limit claim breadth.")

Further, the Federal Circuit has recently affirmed the basic principles of claim construction, including the extent to which the court should resort to and rely on a patent's specification in seeking to ascertain the proper scope of its claims. (*See, Phillips v. AWH Corp.*, 415 F.3d 1303, 1315 (Fed. Cir. 2005).) Importantly, a person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification. The Federal Circuit recognized that it and the Supreme Court have long emphasized the importance

of the specification in claim construction. Therefore, the Federal Circuit held, it is entirely appropriate for a court, when conducting claim construction, to rely heavily on the written description for guidance as to the meaning of the claims.

Following the authorities set forth by the courts, Applicant is entitled to be its own lexicographer, in adopting a consistent usage of the terms "connectors" that is supported by the specification, which should have been reasonably interpreted in the context of the specification. The specification consistently adopts "connectors" to refer to non-switch type passive electrical connections electrically coupling two displays, based on a reasonable interpretation. Within the context of the disclosure of the present invention, such connectors do not include switches such as those disclosed in Toba.

There is no teaching, suggestion, motivation, or any apparent reason to combine Toba and Aoki, Sekura or Jacobsen, respectively, in the first place, and no predictable result is yield by such combination. In fact, Toba teaches away from using a FPCB to interconnect two displays. Toba specifically require switches, in addition to drivers, which switches are provided between the two displays in order to be able to selectively direct driver signals to one of the display units 5 and 11. There is no indication anywhere in Toba and Aoki, how a flexible printed circuit board without any switches may be incorporated in Toba to achieve the intended purpose in Toba, or for any other purpose for that matter. There is no indication anywhere that Toba should be modified to remove the switches 27 and 28, and instead adopt a FPCB to electrically connect the display units 5 and 11. There is therefore no apparent reason to combine Toba with either Aoki, Sekura or Jacobsen, respectively, since there is no justifiable reason to the switches in Toba with a flexible printed circuit board without switches, and further to electrically connect two displays.

The claimed invention therefore involves more than the predictable use of prior art elements according to their established function.

A prima facie case of obviousness therefore has not been established by the Examiner. To find otherwise would require hindsight bias, which has been cautioned by the Supreme Court: "A factfinder should be aware, of course, of the distortion caused by hindsight bias and must be cautious of arguments reliant upon *ex post* reasoning."; KSR v. Teleflex, 127 S. Ct. 1727, 1741 (2007). The Examiner has not given articulated reason for combination or modification of art applied in the rejection, other than a conclusory statement ("Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Toba's switches with Aoki's flexible printed circuit board, because the use of flexible printed circuit board helps constitute a liquid crystal display device as taught by Aoki.) The Supreme Court re-emphasized that conclusory statements do not sustain an obvious rejection; "instead, there must be articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.*, at 1741. And from the Memo of May 3, 2007, to the PTO Tech. Center Dirs.: "Therefore, in formulating a rejection under 35 U.S.C. 103(a) based upon a combination of prior art elements it remains necessary to identify the reasons why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed." The foregoing examination guidelines for determining obviousness have recently been specifically documented in Fed. Reg., Vol. 72., No. 195, pp. 57526 etc.

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CONCLUSION

In view of all the foregoing, Applicant submits that the claims pending in this application are patentable over the references of record and are in condition for allowance. Such action at an early date is earnestly solicited. **The Examiner is invited to call the undersigned representative to discuss any outstanding issues that may not have been adequately addressed in this response.**

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288** referencing the attorney docket number of this application.

Respectfully submitted,

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